IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1474 of 2007()

CRA.181/2006 of V ADDL.SESSIONS COURT, ERNAKULAM
ST.6252/2003 of JUDL.MAGISTRATE OF FIRST CLASS, PERUMBAVOOR

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REVN. PETITIONER: APPELLANT/ACCUSED

KARUNAKARAN, S/O. T.KRISHNAN,
AGED 52 YEARS, KUNNATHU HOUSE, NICHIPPILLY P.O.,
MUNDUR, (PROPRIETOR, M/S. S.K.RUBBERS, 210/02,
VEERABHADRA STREET, SATHIA ROAD, ERODE-3).

BY ADV. SRI.C.P.RAVIKUMAR

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. M/S. KAISON'S RUBBER INDUSTRIES,
MATTOOR, KALADY, REPRESENTED BY M.A.FRANCIS,
M/S. KAISON'S RUBBER INDUSTRIES, MATTOOR, KALADY.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1474 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for one month and to pay a compensation of Rs.2,15,925/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for 45 days.

2. I find that revision petitioner/accused has not sent any reply notice nor adduced any evidence. Considering the findings of the courts below, I find that there is no scope for interference in exercise of the revisional jurisdiction of this court. In the circumstances, the conviction is confirmed. Considering the plea of the counsel for the revision petitioner, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to pay the amount of

compensation. Revision petitioner shall appear before the Judicial First Class Magistrate Court-Perumbavoor on 12.10.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl